CLASSIFICATION OFFICE DECISION

Title of publication: sugar177.wmv

Other known title(s): Not stated

OFLC ref: 1500030.075

Medium: Computer Moving Image File

Director: Not stated

Producer: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Secretary for Internal Affairs

Classification:	Unrestricted.

Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 15 May 2015

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 15 May 2015

	Components	**Running time**
Timed component(s):	sugar177.wmv	3:35
Total running time:		3:35

Summary of reasons for decision:

The computer moving image file does not deal with any matters under s3(1) of the Films, Videos, and Publications Classification Act 1993, nor do s3A or s3B of the Act apply. The publication is therefore unrestricted.

The moving image file depicts a young teenage girl, aged approximately 13-15 years old, in a tank top and tartan skirt performing a series of poses. A viewer's predisposition to regard this video as salacious may result in a sexual interpretation; however, it has no overtly sexual content. The absence of breast or genital nudity or of overtly sexual content, the lack of evidence of exploitation and the possibility of an interpretation that does not rely on sexual intent, means that the publication must be given the benefit of the doubt. The classification of unrestricted is consistent with the right to freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990.